

**Excerpt from the
CITY PLANNING COMMISSION MINUTES
Minneapolis Community Planning & Economic Development (CPED)**

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MEMORANDUM

DATE: January 9, 2014

TO: Zoning and Planning Committee

FROM: Jason Wittenberg, Manager, Community Planning & Economic Development – Land Use, Design and Preservation

SUBJECT: Planning Commission decisions of December 2, 2013

The following actions were taken by the Planning Commission on December 2, 2013. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued.

Commissioners present: President Tucker, Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff, Slack and Wielinski – 10

Committee Clerk: Lisa Kusz (612) 673-3710

6. Solar Arts Building (BZZ-6336, Ward: 1), 711 15th Ave NE, 1529 ½ and 1531 Monroe St NE ([Shanna Sether](#)).

A. Rezoning: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a petition to rezone 1529 1/2 and 1531 Monroe St NE from R2B Two-Family District to R2B Two-Family District and TP Transitional Parking Overlay District.

Action: The City Planning Commission recommended that the City Council adopt the findings and **approve** the petition to rezone 1529 1/2 and 1531 Monroe St NE to add the TP Transitional Parking Overlay District.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

B. Conditional Use Permit: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a conditional use permit to allow a surface parking lot located at 1529 ½ and 1531 Monroe St NE serving customers and employees of the Solar Arts Building located at 711 15th Ave NE.

Action: The City Planning Commission adopted the findings and **approved** the conditional use permit to knowledge allow a surface parking lot located at 1529 ½ and 1531 Monroe St NE serving customers and employees of the Solar Arts Building located at 711 15th Ave NE., subject to the following conditions:

1. Approval of the final site, landscape and floor plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by December 2, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
4. The use of the parking lot shall be restricted to the parking of passenger automobiles only. No commercial vehicles shall be parked or stored.
5. The parking lot shall at no time be used for outdoor sales, display or storage.
6. Each entrance to and exit from such parking lot shall be located at least twenty (20) feet from any adjacent property located in a residence or office residence district. Signage shall be provided directing one-way traffic through the parking lot.
7. The parking lot shall be landscaped and screened pursuant to the provisions of Chapter 530, Site Plan Review.
8. Screening, not less than 3 feet in height and less than 60% opaque is required along Monroe St NE and along the north and south property interior property line in the required front yard. Screening, not less than 6 feet high and 95% opaque, is required for the remainder of the south property line and along the rear yard.
9. The applicant shall provide a three-foot high hedge and four-foot high ornamental fence along the south property line in the required front yard as required by section 530.170 of the zoning code. Along the south property line in the required interior and rear yards, a six-foot high hedge and six-foot high ornamental shall be provided as required by section 530.170 of the zoning code.
10. The applicant shall provide a 6-foot high vinyl-coated, along the north and east property lines when the existing chain link fence along the north and east property lines is in need of repair or replacement.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

C. Variance: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a variance to reduce the front yard requirement along Monroe St NE from 20 feet to approximately 4 feet to allow for a new surface parking located at 1529 ½ and 1531 Monroe St NE.

Action: The City Planning Commission adopted the findings and approved the variance to reduce the front yard requirement along Monroe St NE from 20 feet to 7 feet to allow for a new surface parking located at 1529 ½ and 1531 Monroe St NE.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

D. Variance: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a variance of the Transitional Parking Overlay District standards requiring that the width of the parking not exceed seventy-five (75) feet for the properties located at 1529 ½ and 1531 Monroe St NE.

Action: The City Planning Commission adopted the findings and approved the variance of the Transitional Parking Overlay District standards requiring that the width of the parking not exceed seventy-five (75) feet.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

E. Variance: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a variance of the Transitional Parking Overlay District standards requiring that the parking lot be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m. for the properties located at 1529 ½ and 1531 Monroe St NE.

Action: The City Planning Commission adopted the findings and **approved** the variance of the Transitional Parking Overlay District standards requiring that the parking lot be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m. for the properties located at 1529 ½ and 1531 Monroe St NE.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

F. Variance: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a variance of the Transitional Parking Overlay District standards requiring that the parking lot for properties located at 1529 ½ and 1531 Monroe St NE be landscaped and screened pursuant to the provisions of Chapter 530, Site Plan Review.

Action: The City Planning Commission adopted the findings and **denied** the variance of the Transitional Parking Overlay District standards requiring that the parking lot be landscaped and screened pursuant to the provisions of Chapter 530, Site Plan Review.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

G. Variance: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a variance to increase the maximum amount of impervious surface allowed in the R2B district to allow for a new surface parking lot located at 1529 ½ and 1531 Monroe St NE.

Action: The City Planning Commission adopted the findings and **approved** the variance to increase the maximum amount of impervious surface allowed in the R2B district to allow for a new surface parking lot located at 1529 ½ and 1531 Monroe Street NE.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

H. Variance: Application by Donna Sanders, on behalf of AL Tigers, LLC, for a variance to reduce the required off-street parking requirement to allow for a new reception or meeting hall within an existing building located at 1529 ½ and 1531 Monroe St NE.

Action: The City Planning Commission adopted the findings and **approved** the variance to reduce the required off-street parking requirement from 162 spaces to 110 spaces, subject to the following conditions:

1. Approval of the final Travel Demand Management Plan by the Departments of Community Planning and Economic Development and Public Works.
2. Bicycle racks shall be provided to accommodate no fewer than twenty-four (24) bicycles on the property. The applicant shall provide wayfinding signage directing bicyclists to the bicycle parking.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

Staff Sether presented the staff report.

President Tucker opened the public hearing.

Tammie DeRasmi (1508 Monroe St NE): I'm not in favor of the rezoning of this property. 1531 Monroe was a problem property for many years, but houses aren't problems, people are. This house has been abused and with the right people in the house, it can be turned into a gem like other homes have in Logan Park. This

100 year old house should be saved and not torn down. We need affordable housing in Logan Park and this has the potential of being an owner occupied home as we have seen a shift from rental to owner occupied with other properties. This was a problem property for years and the neighbors strived to turn this property around. It was really discouraging to find out that the intent is to tear it down. I only found out about this issue in August and I honestly believe that people in the neighborhood are not fully informed and do not know the impact of this parking lot. I spoke with Shanna to walk me through the variances; some I still don't understand. I've taken the time to really be involved in this and if I don't get it, there are probably others who have received this public notice that may have the same feelings. I also learned that if they are allowed to tear down 1531 and put in a parking lot, this still would not satisfy the required parking spots for the event center. I'm supportive of the arts in the neighborhood, but I don't understand why we would allow to tear down a house to put a parking lot in that would not give Solar Arts the required parking spots needed. There are many that signed the petition that don't even live in Minneapolis or on Monroe Street and they are not affected, I am. I'm asking that the council not approve, or at least postpone this for a couple of months. Allow the neighbors to have more time to understand this and get more information and make an informed decision. This house should not be torn down to put in a parking lot.

Gene Thompson (1524 Monroe St NE): I did sign that petition and after I thought about it, I don't want my name on that petition for many reasons. I've lived in the neighborhood for 35 years and for 28 years I've lived in the house at 1524 across the street from that building and I think that house is very fixable. In the 28 years I've lived in the neighborhood, I've seen it was all rental. It is now owner occupied. I'd like to see that continue. I think there is issues with water runoff because we do have problems with the water table and train bridge. Another thing too, I don't want to sit on my porch and look at a parking lot. I live directly across the street from it. I do think there will be a noise factor too with the train and echo.

Damian Kussian (1622 Jefferson St)[not on sign-in sheet]: I'm in favor of this lot. I grew up in this neighborhood. It was a drowntrodden neighborhood years ago. It was because of dreamers and investors and people with vision who have invested in this community...Solar Arts was an abandoned building before and now it's a vibrant part of our community. If the parking lot helps keep it vibrant and if we have to take down a distressed property to do it, I'm all for it.

Nancy Przymus (1501 23rd Ave NE): Logan Park put in a letter here that is very neutral. The neighborhood recognizes that someone at Jefferson St isn't even allowed to be on the petition; it's too far away from the Solar Arts building to be on the petition. The people who are most concerned about this are the people around the proposed parking lot. The neighborhood is very neutral on this matter because the neighborhood is divided. Everyone likes the Solar Arts building. There was a parking lot attached to that 15th Ave NE building. The parking lot was attached kitty-corner from the building is 1403 Quincy. We feel in the neighborhood as a whole that parking is the issue, not the ownership of the building, not the artists, not the brewery, not all the jobs that have been brought to the neighborhood. What the problem is is that we are in a parking crunch. There are four churches on one block. When you have four churches on one block you have parking problems. These churches have services sometimes five and six times a week. We might get 57 parking spots here if we only do a four foot setback, but that's only half of the 98 that they need. Most of the neighborhood doesn't know about all of these variances. The neighborhood is not informed.

Commissioner Huynh: I was reading the letter that was submitted and the letter voiced concerns about the impervious area and storm water, not necessarily parking concerns. Can you elaborate on what was actually discussed?

Nancy Przymus: We were under the impression that the 75%, when that letter was written, it was approved at a meeting in November. Since November 20 we found out that certain people in the neighborhood didn't

know what they were signing and we also find out...we didn't know anything about the parking variances being added to this. What we were presented with at our November 20 meeting was about just rezoning the building. We didn't know that there were all these other attached variances. We've only seen one piece of paper that talked about the variance from R2 with a transitional overlay...that's the only piece of paper the whole neighborhood has seen. We haven't seen this whole package, it's news to us. We didn't know all those variances were part of that whole packet today.

Joe DeRasmi (1508 Monroe St): You heard about how it's gone from absentee landlords to occupied houses with the new people fixing them up. I'm against the parking lot. More hardscape would create an existing problem that we have with the viaduct where the train goes by on Monroe St because it floods every year. Another problem is the abundance of variances that are proposed. As a homeowner, we are not always kept up to date. Most importantly, there is no justification to tear down a structure that is not condemned, but just needs a lot of TLC to bring it back and the city needs housing. I ask for a postponement so all the affected residents can be better informed. Thank you.

Duane Arens (711 15th Ave NE): I'm the owner of the Solar Arts building. Our main goal is to be an asset to the community. We did everything that we could do to be part of the community. We invited all the nonprofits to use the space for free and a lot of them have already. We're part of the arts district, we're part of the Chamber of Commerce, part of the northeast food co-op, part of the northeast investment club, part of the food shelf, we are working with Edison right now on some of their art programs. We want to do whatever we can to help the community. That includes the community outreach. I went personally and handed out postcards at the neighborhood meeting. We've been to the neighborhood group three times. If you count trying to get the building up and running two years ago, then probably six or seven times we've been to the neighborhood group. The duplex there...the City wanted to condemn it, but the bank didn't want to and thought they'd get more money for it if it wasn't condemned. The house is full of mold and it leaks. At one time there were 18-20 people living in there. It's a wreck. We've owned the Solar Arts building for just over two years. As of about a month and a half ago and there hasn't been a single phone call to the police for the building or the brewery in two years. The year before we bought the building there were 46 phone calls to the police from the duplex. We think we've made the neighborhood safer. We've had one neighbor say that there is some more traffic around there but it's good traffic. There are people in suits going to art galleries. We like to think we've been a positive asset to the neighborhood. I want to work with these people to make sure it works well. We work hard to make sure everything is done right. I want to make sure people are happy with our project.

President Tucker: Can I just confirm that you're in agreement with staff recommendation, including the denial?

Duane Arens: Yes, I am.

Carlos Fernandez (711 15th Ave NE): I'm the landscape architect that worked on the plans. The two islands in the parking lot are both rain gardens. All of the pervious area will be planted with native prairie forested edge seed mix and there are 19 new trees. The whole southern edge of the property, there is a nine foot by 100 foot rain garden as well. We have infiltration and detaining and storing water across the site. Currently everything flows off the site. The condition for storm water as proposed is an improved condition.

Chuck Olson (1410 15th St NE)[not on sign-in sheet]: I'm a tenant of Solar Arts. I have a gallery called VidTiger. I did attend the last neighborhood meeting where information was presented about the house and the parking. I think people have had the opportunity to communicate concerns. I didn't see many concerns at

that meeting. As a tenant of the building, we feel like there is a lot of potential. Freeing up the parking would really unlock the potential of the Solar Arts building and help it reach its potential. Thanks.

Luke Derhein (2500 University Ave NE): We support this project. We feel that the direction of the neighborhood is going the right direction.

President Tucker closed the public hearing.

Commissioner Huynh: I will move staff recommendation on item A, the rezoning and I will move item B with the 10 conditions (Slack seconded).

Commissioner Wielinski: I find it fascinating when we have these discussions about putting parking lots into basically residential communities. We had one here for the Seed Academy where they wanted to put a parking lot for their school in a neighborhood in north Minneapolis and I suggested they should do that and everybody went bananas that that was the worst possible thing we could do but now we move across the river into northeast and it's certainly fine to take down a house and put up a parking lot. I would love to see more consistency on this board regarding these matters in the future.

Commissioner Kronzer: This is slightly different in my mind. This is abutting a freight rail corridor and is on an edge of an area versus being in the middle of a community.

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski

Commissioner Huynh: I will move staff recommendation on the remaining applications (Wielinski seconded).

Aye: Brown, Cohen, Gagnon, Huynh, Kronzer, Luepke-Pier, Schiff and Slack

Abstain: Wielinski